

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
05 AUG 17 PM 1:40  
WESTERN DIVISION

FILED BY JSA D.C.  
05 AUG 16 PM 3:04

THOMAS M. GOULD  
SAMANTHA D. TERRY, CLERK U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS  
Plaintiff,

THOMAS M. GOULD  
CLERK U.S. DISTRICT COURT  
W.D. OF TN, MEMPHIS

v.

Civil Action No. 05-2565 D/An.

ALLENBROOKE NURSING AND  
REHABILITATION CENTER, LLC,

Defendant.

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**MOTION OF SPENCER A. KINDERMAN FOR ADMISSION *PRO HAC VICE***

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Spencer A. Kinderman, pursuant to Local Rule 83.1(b) and other applicable provisions of law, moves the Court to admit him specially for the purpose of acting as attorney for the Defendant, Allenbrooke Nursing and Rehabilitation Center, LLC, in this civil action, and states as follows:

1. I am an attorney who is licensed to practice law in all courts of the State of Alabama, including the Supreme Court of Alabama. I was admitted to practice in Alabama in 1994; my Alabama State Bar Number is ASB-3831-D59S. I also am admitted to practice before the United States District Courts for the Northern, Middle, and Southern Districts of Alabama.

2. I am a partner in the law firm of Johnston Barton Proctor & Powell LLP, 2900 AmSouth/Harbert Plaza, 1901 Sixth Avenue North, Birmingham, AL 35203, (205) 458-9400.

3. Attached hereto is a copy of my Certificate of Good Standing from the United States District Court for the Northern District of Alabama.

4. I certify that I have obtained and am familiar with the local rules of this Court, including the Guidelines of Professional Courtesy and Conduct.

**MOTION GRANTED**

DATE: 8/16/2005

  
BERNICE BOUIE DONALD  
U.S. DISTRICT JUDGE

(b)

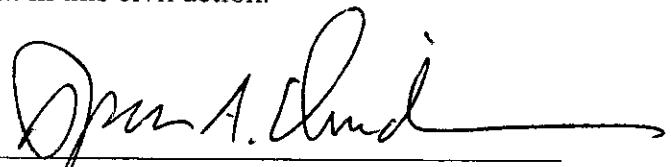
5. I certify that I am in good standing in all courts in which I am admitted to practice, and further certify that I have not been disciplined at any time by any court before which I have practiced.

6. John J. Heflin, III and John Marshall Jones of Bourland, Heflin, Alvarez & Minor, PLC, 5400 Poplar Avenue, Suite 100, Memphis, TN 38119, (901) 683-3526, will serve as local counsel for the Defendant, Allenbrooke Nursing and Rehabilitation Center, LLC.

7. Counsel for the Plaintiff has no objection to the relief requested herein. *See* accompanying Certificate of Counsel.

8. A proposed Order granting the Motion is submitted herewith.

WHEREFORE, Spencer A. Kinderman respectfully requests that the Court admit him specially for the purpose of representing the Defendant in this civil action.



\_\_\_\_\_  
SPENCER A. KINDERMAN  
Alabama State Bar No. ASB-3831-D59S

JOHNSTON BARTON PROCTOR & POWELL LLP  
2900 AmSouth/Harbert Plaza  
1901 Sixth Avenue North  
Birmingham, AL 35203  
(205) 458-9400

JOHN J. HEFLIN, III  
Tennessee Disciplinary No. 6142  
JOHN MARSHALL JONES  
Tennessee Disciplinary No. 13289

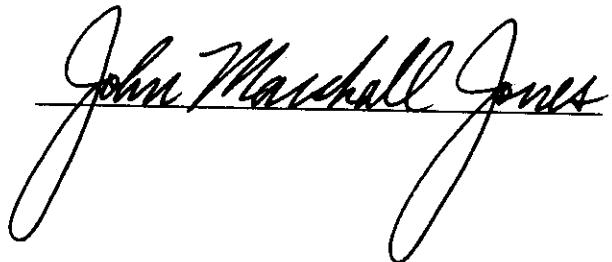
Attorneys for Defendant

BOURLAND, HEFLIN, ALVAREZ & MINOR, PLC  
5400 Poplar Avenue, Suite 100  
Memphis, TN 38119  
(901) 683-3526

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served on the following person by first class United States mail, postage prepaid, this 16<sup>th</sup> day of August, 2005:

James D. Harper, Esq.  
Stroud, Harper & Whitwell, PC  
5779 Getwell Road  
Building C, Suite 1  
Southaven, MS 38672

A handwritten signature in black ink, appearing to read "John Marshall Jones", is written over a horizontal line.

UNITED STATES DISTRICT COURT  
Northern District of Alabama  
Office of the Clerk  
Room 140, 1729 5th Avenue North  
Birmingham, Alabama 35203  
(205) 278-1700

Perry Mathis  
Clerk

Sharon Harris  
Chief Deputy Clerk

**CERTIFICATE OF GOOD STANDING**

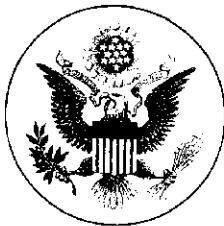
I, **Perry D. Mathis**, Clerk of the United States District Court, Northern District of Alabama,

**DO HEREBY CERTIFY** that **SPENCER A. KINDERMAN** was duly admitted to practice in said Court on **November 3, 1994**, and is in good standing as a member of the bar of said Court.

Dated at Birmingham, Alabama, on August 2, 2005.

PERRY D. MATHIS, CLERK

By: Stacy Handley  
Deputy Clerk



# Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:05-CV-02565 was distributed by fax, mail, or direct printing on August 18, 2005 to the parties listed.

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Honorable Bernice Donald  
US DISTRICT COURT